

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

BERT J. ALLEN, III,)	
)	
Plaintiff,)	
)	
v.)	01-CR-224-P-C
)	
YORK COUNTY JAIL, et al)	
)	
Defendants.)	

ORDER ON RECOMMENDED DECISION

Before the Court is the Recommended Decision of the Magistrate Judge in this matter entered on September 7, 2004 (Docket Item No. 155). The Court herewith **DECLINES** to accept the Recommended Decision as it now finds that the Plaintiff is presently out of custody and is active in attempting to pursue his claims in this litigation.

/s Gene Carter
Gene Carter
Senior District Court Judge

DATED at Portland, Maine this 25th day of October, 2004.

Plaintiff

BERT J ALLEN, III

represented by **BERT J ALLEN, III**
56 SMITH GARRISON ROAD
NEW MARKET, NH 03857
(603)659-5293
PRO SE

V.

Defendant

YORK COUNTY JAIL
TERMINATED: 03/11/2003

represented by **MICHAEL J. SCHMIDT**
WHEELER & AREY, P.A.
27 TEMPLE STREET
P. O. BOX 376
WATERVILLE, ME 04901
873-7771
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mschmidt@wheelerlegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

SCOTT, YORK COUNTY JAIL
INMATE
TERMINATED: 12/27/2001

RICHARD, YORK COUNTY
JAIL INMATE
TERMINATED: 12/27/2001

DANIEL DOUBOUS,
individually and in their official
capabilities as officers of the York
County Jail

represented by **MICHAEL J. SCHMIDT**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

TAMMY LEONARD,
individually and in their official
capabilities as officers of the York
County Jail.

represented by **MICHAEL J. SCHMIDT**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

SCOTT BARRIEAU
TERMINATED: 06/11/2002

RICHARD LOWELL
TERMINATED: 06/11/2002

LINDA MOOERS

represented by **JAMES F. MOLLEUR**
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